LIBRARY
18 JUL 1955
STATE LEGISLATURE

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, 9th March 1955.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Recommendations of the Tripartite Textile Enquiry Committee.

* 1279 *Q.*—SRI M. KALYANASUNDARAM (on behalf of Sri S. C. C. Anthony Pillai): Will the Hon. the Minister for Labour be pleased to state whether the Tripartite Textile Enquiry Committee has specified the mills which should be exempted from its recommendations relating to (*a*) Basic wages fixation; (*b*) scales of dearness allowance?

THE HON. SRI M. BHAKTAVATSALAM:—"(*a*) The Tripartite Textile Enquiry Committee recommended that 22 textile mills in the composite State of Madras may be exempted from paying the basic minimum wage recommended by it.

"(*b*) As regards the scales of dearness allowance, the Committee recommended that 41 mills may pay dearness allowance at the rate of 3 annas 3 pies per point over 100 points in the Madras City Cost of Living Index and 40 mills at the rate of 3 annas per point.

As regards the remaining 22 mills which were recommended for exemption from payment of basic minimum wage, the Committee did not consider it necessary to make any specific recommendation."

SRI M. KALYANASUNDARAM:—"சர்க்கார் சம்பந்தப்பட்டவரை இந்த முக்கூட்டு கமிட்டியின் சிபார்சுகள் சட்டப்படி அமுல் நடத்தத்தக்கதல்ல. வெறும் சிபார்சு தன்மை வாய்ந்ததுதான் என்று சாதித்து வருகின்றனர். ஆனால் தொழிலாளர்கள் அதில் நல்ல அம்சங்கள் இருப்பதனால், அவைகளை அமுலாக்க சர்க்கார் நடவடிக்கை எடுக்கவேண்டும் என்று விரும்புகின்றனர். சென்ற டிசம்பர் மாதம் 21-ம் தேதி கோயம்புத்தூர், சேலம் ஜில்லாக்களில் ஒரு நாள் அடையாள வேலை நிறுத்தம் நடைபெற்றது. சமீபத்தில் பிரதிநிதிகள் கூடி ஒரு மகாநாடு நடத்தி மேற்கொண்டு நடவடிக்கை எடுப்பதற்காக வேண்டி சர்க்காரிடத்தில் அறிவிப்பதற்காக இருக்கின்றனர். மீண்டும் இந்த தகராறு நீடிக்காமல் சமரசம் காண்பதற்காக சர்க்கார் என்ன நடவடிக்கை எடுக்க உத்தேசித்திருக்கிறது என்று அறிய விரும்புகிறேன்."

THE HON. SRI M. BHAKTAVATSALAM:—"வேலை நிறுத்தம் செய்வதுபற்றி வேறு கேள்வி இன்று வர இருக்கிறது. சமீபத்தில் சோஷலிஸ்ட் கட்சியைச் சேர்ந்த தொழிலாளர்களும், கம்யூனிஸ்ட் கட்சியைச் சேர்ந்த தொழிலாளர்களும் சேர்ந்து மகாநாடு நடத்தி அவர்கள் சேர்ந்து என்னிடம் வந்து சிலவற்றை கவனிக்கும்படி சொன்னார்கள். அதை நான் கவனிப்பதாகச் சொன்னேன். அதை நான் கவனித்துக்கொண்டு வருகிறேன்."

[9th March 1955

SRI M. NARAYANA KURUP :—" Have the Government accepted the recommendation of this Committee in respect of these exemptions? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is no question of accepting the recommendation. Unless the Government are in a position to implement the recommendation, they cannot say they have accepted it."

SRI V. BALAKRISHNAN :—" On what grounds was the exemption recommended? Is it in the interests of labour or against its interests? "

THE HON. SRI M. BHAKTAVATSALAM :—" All the interests were taken into account, when the Committee made its recommendations."

SRI K. P. GOPALAN :—" Some of the recommendations of the Committee are very favourable to the workers about basic wages and allowances, for example. May I know whether it is the policy of the Government that when they appoint a committee to go into the condition of workers and if the committee makes recommendations which are favourable to the workers they will not accept them but ask the workers to start disputes and come before them? In this connection, may I inform the Government that when some years ago, Mr. Venkataramayya made his recommendations to the Government regarding increase in the pay of workers, the Government accepted them and issued a circular to the managements to accept and implement them? May I know whether the policy of the Government has since changed? "

THE HON. SRI M. BHAKTAVATSALAM :—" As I have already said, there is no question of accepting or rejecting any of the recommendations of the Committee. There is also no question of change of policy. If there is any change, it will certainly be in favour of labour. But I may tell the hon. Member that there are a few recommendations of this Committee which have to be looked into by the Government in the Labour Department. The recommendations have already been taken up for examination. Regarding questions relating to wages, etc., as I have already said, under the existing law, the Government cannot enforce the recommendations of the Committee. Therefore, they have been advising the workers that they may raise the question as individual disputes which can be taken up for conciliation and ultimate decision."

SRI M. KALYANASUNDARAM :—" The Government are contending that this Enquiry Committee does not have the status of an Industrial Tribunal. May I tell the Hon. Minister that this Committee itself was appointed as a result of a directive contained in an award of the Industrial Tribunal? May I also know from him whether the Government recognise that there is an industrial dispute at least now within the meaning of the Industrial Disputes Act of 1947 and if so, will they take action under that Act? "

9th March 1955]

THE HON. SRI M. BHAKTAVATSALAM :—" I have already referred to this matter in a statement I made in this House. The Government do feel that they cannot implement these recommendations. But at the same time, some of the representatives of workers' unions discussed with me this question and gave me a representation which I have looked into. I would reiterate that only in the form of individual disputes, these can be taken up for implementation. If a number of disputes come in, this Government will examine whether they can refer the matter, which might affect a large number of workers, to the Tribunal for examination."

SRI N. K. PALANISAMY :—" 1954-ம் வருஷம் இந்த சிபார்சுகள் வெளியானவுடனே சர்க்கார் யூனியன்களுக்கு இந்த சிபார்சுகளில் எது, எது வேண்டும் என்று அபிப்பிராயத்தை தெரிவிக்கும்படி ஒரு கடிதம் அனுப்பியிருந்தார்கள். சிபார்சுகளை அமுலாக்கவேண்டும் என்ற எண்ணத்துடன்தான் எல்லா யூனியன்களுக்கும் எழுதியிருந்தார்கள். பின்னால் அவர்களின் எண்ணத்தை மாற்றிக்கொண்டார்களா என்று கேட்கிறேன்."

THE HON. SRI M. BHAKTAVATSALAM :—" I may tell the hon. Member, who said that this Committee was constituted in consequence of a directive given by the Tribunal, that though it was so, it was intended to serve as a guidance for any enquiry that the Tribunal itself might make. On receipt of its report, the Government did elicit the opinion of the workers on the recommendations. But it does not mean that they have decided to implement them or that they can implement them."

SRI S. PAKKIRISAWMI PILLAI :—" Sir, on a previous occasion when Mr. Venkataramayya was asked to enquire into the dispute, just before the enquiry was concluded, he was made a Tribunal by an order of the Government and when the award was given the workers and the employees stood to gain. May I know the exact reason why the Government did not adopt the same course in this particular case? "

THE HON. SRI M. BHAKTAVATSALAM :—" The hon. Member was one of those who met me as a representative of workers and discussed this matter with me. I have explained to him that the Government will see what action they could take. I do not know what was done on a previous occasion referred to by the hon. Member. Of course, if there are disputes, the Government may convert one tribunal into another tribunal. But there must be disputes for reference to tribunals for adjudication."

SRI S. RAMALINGAM :—" முக்கூட்டுக் கமிட்டி செய்த சிபார்சுகளில் தொழிலாளர்கள் கோருவது எது எது நியாயமென்று சர்க்கார் கருதுகிறார்கள்."

THE HON. SRI M. BHAKTAVATSALAM :—" அதற்கு நோட்டீஸ் வேண்டும்."

[9th March 1955

Sri M. KALYANASUNDARAM :—" May I request the Hon. the Minister to give a specific answer? What I want to know is whether the Government have got powers under the Industrial Disputes Act to treat these recommendations themselves as an award and implement them or they are unwilling to implement them."

The Hon. Sri M. BHAKTAVATSALAM :—" If the Government are not willing, the Deputy Leader of the Opposition cannot make them willing. But I have already said that the Government do feel and they have also been so advised by law advisers that the recommendations themselves could not be treated as award on a dispute."

Sri K. P. GOPALAN :—" Are the Government aware that even when the British Government was there, Rajaji, when he was Chief Minister of the State, was prepared even to take over the Madurai Mills and run it? Now when the Britishers have left and when we are a Republic, why do the Government feel that they cannot champion the cause of workers, especially when the recommendations of the Committee are favourable to workers? I want an answer."

The Hon. Sri M. BHAKTAVATSALAM :—" It serves no purpose in quoting antecedents without any context. I may assure the hon. Member that the Government will not hesitate to take action for helping the cause of workers. But if hon. Members sitting opposite want to make it an issue and do not really want to help labour, we cannot help it."

Sri M. NARAYANA KURUP :—" On a point of order, Sir. In reply to the previous question, the Hon. the Minister said that if the Government were not willing, the Opposition could not make them willing. I want to make it clear that we are pressing our points with the best hope of impressing the need for urgent action on the Government."

Mr. SPEAKER :—" The hon. Member cannot force the Government. It is not a point of order at all."

The Hon. Sri M. BHAKTAVATSALAM :—" I may submit, Sir, when I express the definite stand, attitude and decision of the Government, it is not wrong if I explain it."

Mr. SPEAKER :—" It is not unparliamentary to say that the Opposition cannot make the Government do a thing."

Dispersal of industrial undertakings by regulating licences

* 1280 Q.—Sri S. R. ARUMUGAM : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Government have followed the policy of dispersal of industrial concerns in scattered areas when issuing licences to new textile mills; and

(*b*) if so, how it is given effect to?